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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

DOUG LITTLE – Chairman
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Arizona Corporation Commission
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AZ CORP COMMISSION
DOCKET CONTROL

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In the matter of:

FRANKLIN AAA HOLDINGS, LLC, A TEXAS
LIMITED LIABILITY COMPANY,

ANTHONY CLAVIEN, A SINGLE MAN,

Respondents.

DOCKET NO. S-20930A-15-0211

PROCEDURAL ORDER
(Schedules a Status Conference)

BY THE COMMISSION:

On June 24, 2015, the Securities Division (“Division”) of the Arizona Corporation Commission (“Commission”) filed a Notice of Opportunity for Hearing (“Notice”) against Franklin AAA Holdings, LLC, A Texas limited liability company (“FAH”) and Anthony Clavien (collectively “Respondents”), in which the Division alleged multiple violations of the Arizona Securities Act (“Act”) in connection with the offer and sale of securities in the form of percentage interests in real estate transactions, investment contracts and promissory notes.

On April 5, 2016, Respondent Clavien filed a request for hearing in this matter.

On April 13, 2016, by Procedural Order, a pre-hearing conference was scheduled on May 17, 2016.

On April 26, 2016, by Procedural Order, counsel for Respondent Clavien was approved for service of all filings in this docket via his designated email address.

On May 17, 2016, at the pre-hearing conference, the Division and Respondent Clavien appeared through counsel. No appearance was made on behalf of FAH. Counsel for the Division indicated that the parties are discussing a resolution of the issues raised in the Notice and requested that a status conference be scheduled in approximately 60 days.

Accordingly, a status conference should be scheduled.

1 IT IS THEREFORE ORDERED a **status conference** shall be held on **July 28, 2016, at 10:00**
2 **a.m.**, at the Commission's offices, 1200 West Washington Street, **Hearing Room No. 2**, Phoenix,
3 Arizona.

4 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
5 Communications) is in effect and shall remain in effect until the Commission's Decision in this matter
6 is final and non-appealable.

7 IT IS FURTHER ORDERED that all parties must comply with Rules 31, 38, 39 and 42 of the
8 Rules of the Arizona Supreme Court and A.R.S. § 40-243 with respect to the practice of law and
9 admission *pro hac vice*.

10 IT IS FURTHER ORDERED that, as permitted under A.A.C. R14-3-107(B), each party to this
11 matter may opt to receive service of all filings in this docket, including all filings by parties and all
12 Procedural Orders and Recommended Opinions and Orders/Recommended Orders issued by the
13 Commission's Hearing Division, via email sent to an email address provided by the party rather than
14 via U.S. Mail. To exercise this option, a party shall:

- 15 1. Ensure that the party has a valid and active email address to which the party has regular
16 and reliable access ("designated email address");
- 17 2. Complete a Consent to Email Service using the form available on the Commission's
18 website (www.azcc.gov) or a substantially similar format;
- 19 3. File the original and 13 copies of the Consent to Email Service with the Commission's
20 Docket Control, also providing service to each party to the service list;
- 21 4. Send an email, containing the party's name and the docket number for this matter, to
22 HearingDivisionServicebyEmail@azcc.gov from the designated email address, to allow
23 the Hearing Division to verify the validity of the designated email address;
- 24 5. Understand and agree that service of a document on the party shall be complete upon
25 the sending of an email containing the document to the designated email address,
26 regardless of whether the party receives or reads the email containing the document;
27 and
28

6. Understand and agree that the party will no longer receive service of filings in this matter through First Class U.S. Mail or any other form of hard-copy delivery, unless and until the party withdraws this consent through a filing made in this docket.

IT IS FURTHER ORDERED that a party's consent to email service shall not become effective until a Procedural Order is issued approving the use of email service for the party. The Procedural Order shall be issued only after the party has completed steps 1 through 4 above, and the Hearing Division has verified receipt of an email from the party's designated email address.

IT IS FURTHER ORDERED that a party's election to receive service of all filings in this matter via email does not change the requirement that all filings with the Commission's Docket Control must be made in hard copy and must include an original and 13 copies.

IT IS FURTHER ORDERED that withdrawal or representation must be made in compliance with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the Rules of the Arizona Supreme Court). Representation before the Commission includes appearances at all hearings and procedural conferences, as well as all Open Meetings for which the matter is scheduled for discussion, unless counsel has previously been granted permission to withdraw by the Administrative Law Judge or the Commission.

IT IS FURTHER ORDERED that the Presiding Administrative Law Judge may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 17th day of May, 2016.


MARCE E. STERN
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 17th day of May, 2016 to:

John C. Kelly
COPPERSMITH BROCKELMAN PLC
2800 North Central Avenue, Suite 120
Phoenix, Arizona 85004
Attorney for Respondent Anthony Clavien
JKelly@cblawyers.com
Consented to Service by Email

1 Matt Neubert, Director
2 Securities Division
3 ARIZONA CORPORATION COMMISSION
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6 COASH & COASH, INC.
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12 Rebecca Tallman

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